

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM****SUBJECT:** Alaqua Lakes Drainage Vacate**DEPARTMENT:** Planning and Development **DIVISION:** Development Review**AUTHORIZED BY:** Dori DeBord**CONTACT:** Tony Walter**EXT:** 7349**MOTION/RECOMMENDATION:**

1. Adopt and authorize the Chairman to execute a Resolution to vacate and abandon a portion of the platted drainage easement at the rear of the property located at 3382 Park Grove Court, Longwood, Florida, further described as Lot 82, Alaqua Lakes Phase 2, in Plat Book 53, Pages 71 through 74, of the Public Records of Seminole County, Florida, in Section 14, Township 29 S, Range 29 E, as requested by William S. and Blair K. Hull, applicant.

2. Deny the request to vacate and abandon a portion of the platted drainage easement at the rear of the property located at 3382 Park Grove Court, Longwood, Florida, further described as Lot 82, Alaqua Lakes Phase 2, in Plat Book 53, Pages 71 through 74, of the Public Records of Seminole County, Florida, in Section 14, Township 29 S, Range 29 E, as requested by William S. and Blair K. Hull, applicant.

3. Continue the public hearing until a time and date certain.

District 5 Brenda Carey

Tony Walter

BACKGROUND:

The applicant, William S. and Blair K. Hull, is requesting to vacate and abandon a portion of the existing 15 ft. wide drainage easement at the rear of the property located at 3382 Park Grove Court, Longwood, Florida, further described as Lot 82, Alaqua Lakes Phase 2, in Plat Book 53, Pages 71 through 74, of the Public Records of Seminole County, Florida, in Section 14, Township 29 S, Range 29 E. The applicant is requesting to vacate the portion of the easement to correct an encroachment of the existing swimming pool and pool enclosure. Staff has determined that vacating and abandonment of that portion of the platted drainage easement would not diminish the effectiveness of the subdivision's drainage system. The owners have provided a letter from the Alaqua Lakes Community Association, Inc. stating no objection to the request. Vacation and abandonment of the described portion of the drainage easement is necessary to prevent a potential cloud of title. The applicant has provided letters from all applicable utility companies stating "no objections" to the request.

STAFF RECOMMENDATION:

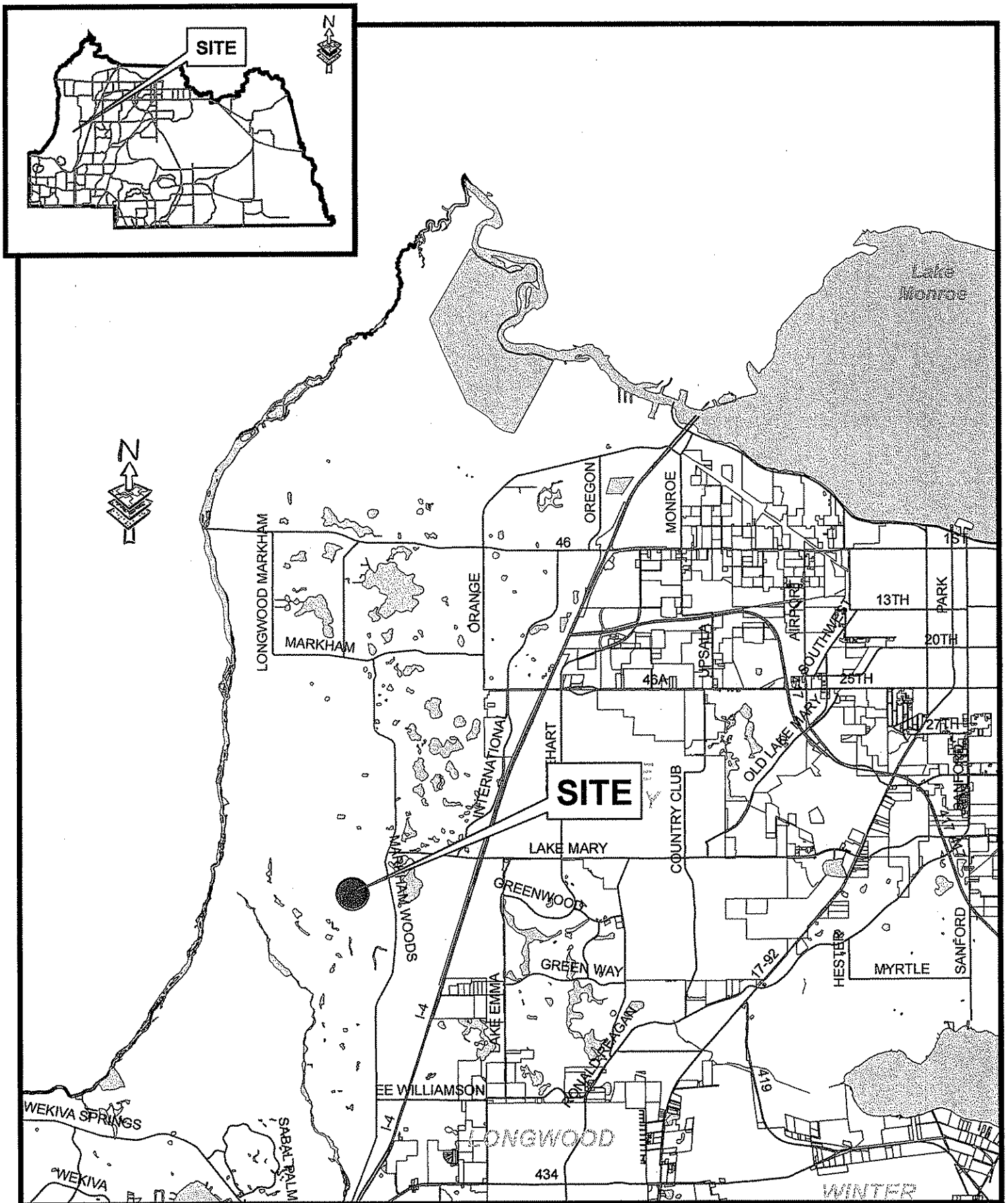
Staff recommends the Board adopt and authorize the Chairman to execute a Resolution to vacate and abandon a portion of the platted drainage easement at the rear of the property located at 3382 Park Grove Court, Longwood, Florida, further described as Lot 82, Alaqua Lakes Phase 2, in Plat Book 53, Pages 71 through 74, of the Public Records of Seminole County, Florida, in Section 14, Township 29 S, Range 29 E, as requested by William S. and Blair K. Hull, applicant.

ATTACHMENTS:

1. Maps and Aerials
2. Maps and Aerials
3. Maps and Aerials
4. Resolution
5. Sketch & Description
6. Alaqua Lakes Community Association Letter

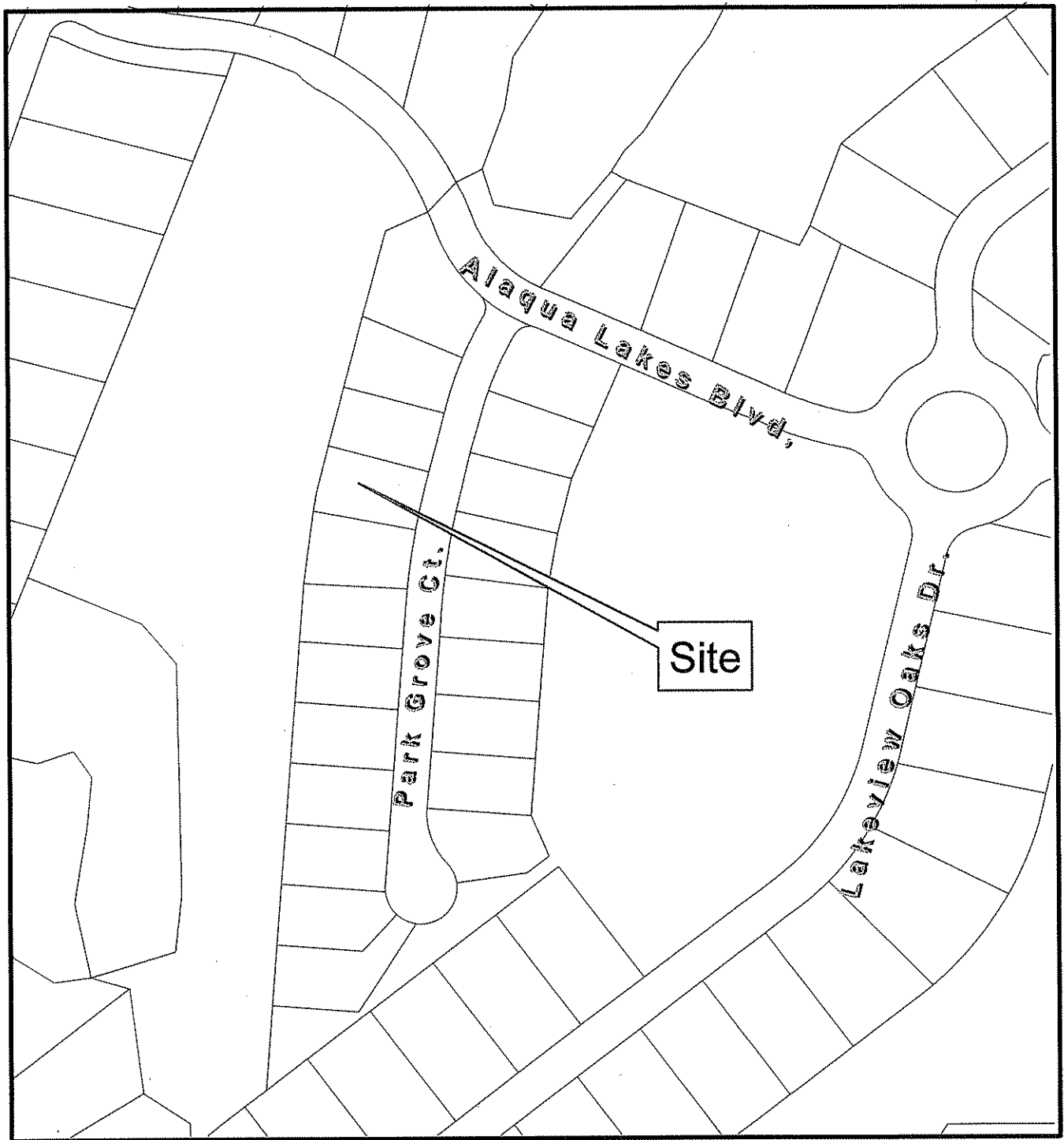
Additionally Reviewed By:

☒ County Attorney Review (Kathleen Furey-Tran)



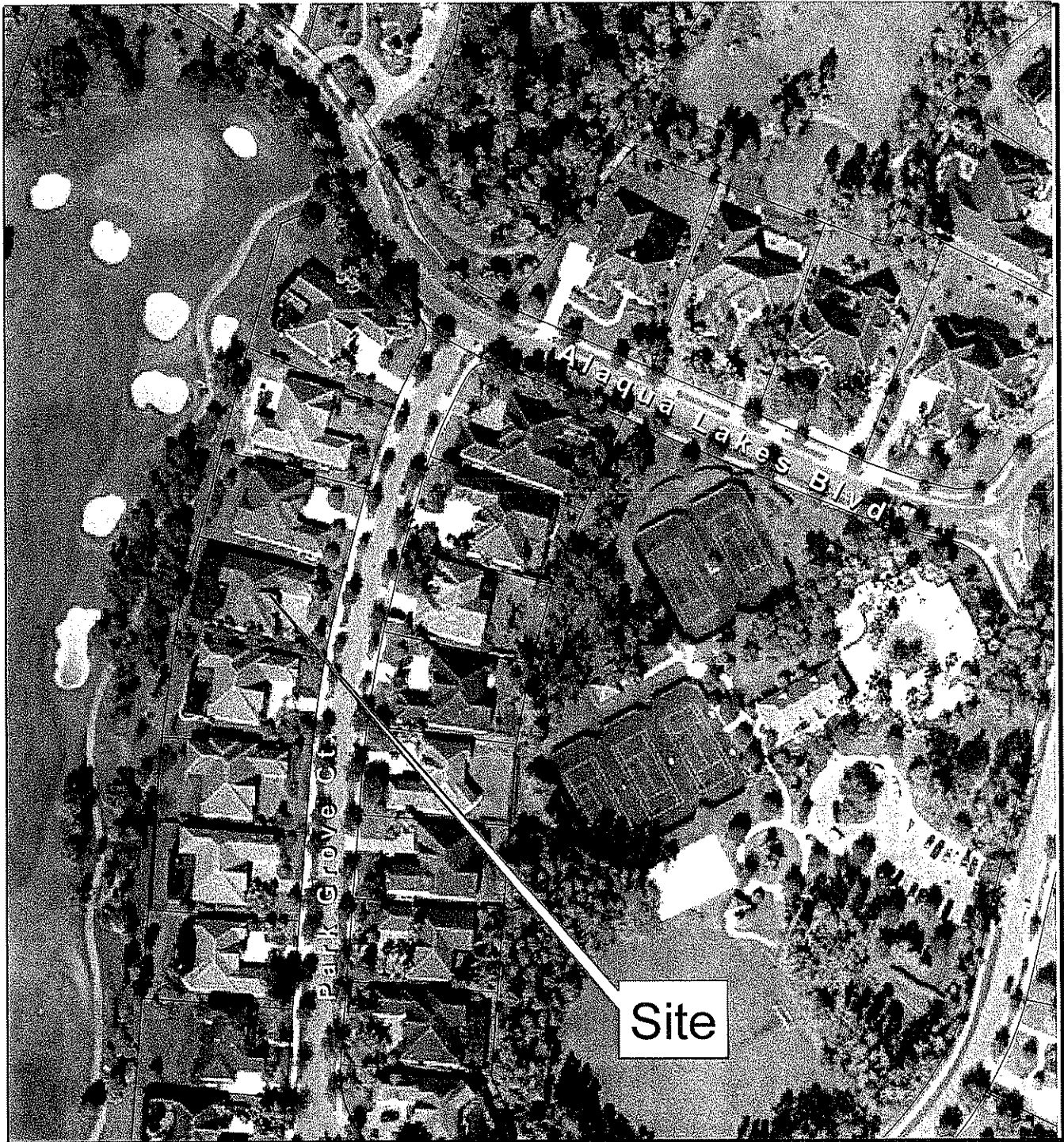
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Area Map **Alaqua Lake Utility &** **Drainage Vacate**



Alaqua Lake Utility &
Drainage Vacate





-  Parcel
-  Subject Property



Alaqua Lake Utility &
Drainage Vacate

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 12TH DAY OF February A.D., 2008.

**RESOLUTION TO VACATE AND ABANDON A
DRAINAGE EASEMENT**

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Whereas, a Petition was presented on behalf of

WILLIAM HULL AND BLAIR K. HULL

to the Board of County Commissioners of Seminole County, Florida, requesting the closing, vacating and abandoning of the following described drainage easement to-wit:

SEE EXHIBIT A

Whereas, after due consideration the Board of County Commissioners of Seminole County, Florida, has determined that the abandonment of the above described drainage easement is in the best interest of the County and the public.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Seminole County, Florida, that the above described drainage easement be, and the same is hereby abandoned, closed and vacated, and that all right in and to the same on behalf of the County and the public is hereby disclaimed.

PASSED AND ADOPTED this 12th day of February A.D., 2008

**BOARD OF COUNTY COMMISSIONERS
OF SEMINOLE COUNTY, FLORIDA**

ATTEST:

BY:

MARYANNE MORSE

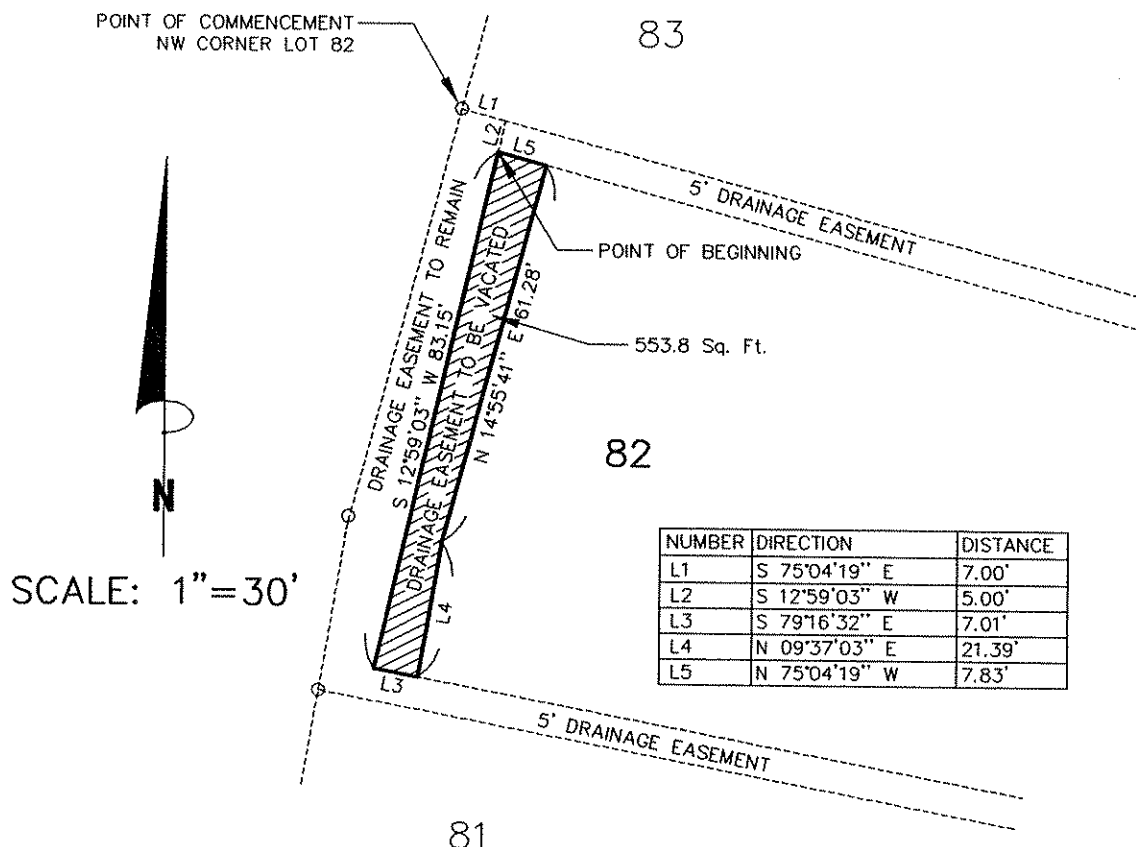
**CLERK OF THE CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA**

BRENDA CAREY

CHAIRMAN

SKETCH OF DESCRIPTION
for
BLAIR K. and WILLIAM S. HULL
Legal Description
of
PROPOSED DRAINAGE EASEMENT TO BE VACATED

Commencing at the Northwest Corner of Lot 82, ALAQUA LAKES PHASE II, according to the plat thereof as recorded in Plat Book 53, Pages 71, 72, 73, and 74, of the Public Records of Seminole County, Florida, thence run S.75°04'19"E., along the North Line of said Lot 82, a distance of 7.00 feet; thence departing said North Line, run S.12°59'03"W. 5.00 feet for a POINT OF BEGINNING; thence continue S.12°59'03"W. 83.15 feet; thence run S.79°16'32"E. 7.01 feet; thence run N.09°37'03"E. 21.39 feet; thence run N.14°55'41"E. 61.28 feet; thence run N.75°04'19"W. 7.83 feet to the Point of Beginning.

**SURVEY NOTES:**

- 1) This is not a "Boundary Survey", only a sketch of the above legal descriptions prepared by this surveyor.
- 2) Bearings shown hereon are based on the North Line of Lot 82, LAQUA LAKES PHASE II being S.75°04'19"E. (per plat)
- 3) This legal description was prepared on 9 January 2008.

Surveyor's Certificate

This is to certify that this "Sketch of Description" of the above-described property and the plat hereon delineated is an accurate representation of the same. I further certify that this survey meets the Minimum Technical standards set forth by the Florida Board of Surveyors and Mappers pursuant to Chapter 61G17-06 of the Florida Administrative Code pursuant to Section 472.027 of the Florida Statutes.

R. Blair Kitner
KITNER SURVEYING, INC.

R. BLAIR KITNER - P.S.M. No. 3382
P. O. Box 823 - Sanford, Florida 32772 (407) 322-2000
Not valid without raised seal of Surveyor

Richard E. Larsen*
Frank A. Ruggieri†
Thomas R. Slaten, Jr.
John C. Palmerini**
Patryk Ozim
M. Florence King

*Shareholder

†Admitted in Florida and Illinois

**Admitted in Florida and
District of Columbia



55 East Pine Street
Orlando, Florida 32801
Telephone: 407.841.6555
Facsimile: 407.841.6686

September 18, 2007

Mr. & Mrs. William S. Hull
3382 Park Grove Court
Longwood, FL 32779

RE: Request to Vacate Rear Drainage Easement/Lot 82, Alaqua Lakes Phase 2

Dear Mr. & Mrs. Hull:

This firm has the pleasure of representing Alaqua Lakes Community Association, Inc. It is our understanding that you are working with Seminole County to vacate a certain fifteen foot (15') drainage easement located on the rear boundary line of your Lot 82 within Alaqua Lakes Phase 2, recorded at Plat Book 53, Pages 71-74, Public Records of Seminole County, Florida.

I have been authorized by the Association's Board of Directors to inform you that the Association, formally, has no objection to you taking steps with Seminole County to vacate the subject easement.

If you have any questions, or if you require anything additional from us, please do not hesitate to contact me.

Sincerely,

Richard E. Larsen

REL/beh
cc: Board of Directors